

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 81-27

NPDES NO. CA0006246

REISSUING AND AMENDING WASTE DISCHARGE REQUIREMENTS
(ORDER NO. 80-28) FOR:

GENERAL ELECTRIC COMPANY
VALLECITOS NUCLEAR CENTER
PLEASANTON, ALAMEDA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region, (hereinafter called the Board), finds that:

1. The Board reissued waste discharge requirements May 20, 1980, (Order No. 80-28) for General Electric Company (GE), Vallecitos Nuclear Center (VNC), hereinafter the discharger, for one year expiring June 1, 1981, so that it may further consider (a) the adequacy of the GE contingency plans, (b) the status of the voluntary commitment by GE at the May 20, 1980, Board meeting to immediately cease the discharge of radioactive substances (i.e. tritium) to Vallecitos Creek, (c) the reasonableness of allowing the continued discharge of industrial wastewater to Alameda Creek year-around which is currently prohibited by the Basin Plan, and (d) the radioactive substance regulatory activities affecting water quality of the California Department of Health Services (CDHS) and the Nuclear Regulatory Commission (NRC).
2. In compliance with Board Order No. 80-28 the discharger submitted an updated contingency plan for non-radioactive substances dated November 14, 1980 which was amended at Board staff request March 25, 1981. The Executive Officer found it satisfactory by letter of April 10, 1981. The discharger has also submitted documentation from the NRC's Division of Reactor Licensing dated July 1, 1976 for the GE Test Reactor (GETR) and May 19, 1978 (for the entire facility) approving the discharger's radioactive substances contingency plan as part of their 10 year license renewal cycle. Currently a review is also being made by the NRC's Division of Materials Licensing to assure that radiological materials contingency plans (i.e. hotcells, chemicals, etc.) are also satisfactory.
3. Although Self-Monitoring data on the discharger wastewater discharges prior to the May 20, 1980 Board meeting shows that they have always complied with radiological limits prescribed by this Board, they have contained tritium.

At the May 20, 1980, Board meeting, the discharger voluntarily committed itself to cease the discharge of industrial wastewater which contains site generated radioactive substances (about 2000 gallons per week) to Vallecitos Creek. Board staff compliance inspections have confirmed that the discharger has ceased discharge of industrial wastewater which contains site generated radioactive substances to surface waters.

4. The discharger has previously requested to discharge to Vallecitos Creek year-around. This request is contrary to the Basin Plan prohibition of discharges to Alameda Creek or its tributaries (e.g. Vallecitos Creek) when there is no natural flow in Alameda Creek above Niles (i.e. dry-weather months). The discharger has cited that the high quality of its industrial wastewater, primarily Hetch-Hetchy cooling water, is better than most surface waters of the area and with minor exception better than South Bay Aqueduct water used to recharge the down stream Niles Cone. A report has been submitted documenting the quality and consistency of the industrial wastewater. Staff review and evaluation of the report finds the discharger's claim appears justified.

The discharger has also submitted a report documenting net environmental benefits from the dry weather discharge. California Department of Fish and Game concurs that there are positive net environmental benefits to dry weather discharges which meet strict effluent limits.

5. The Board also adopted Resolution 80-3 at its May 20, 1980, meeting requesting CDHS and NRC require the discharger to implement a Board recommended radiological monitoring program, increase surveillance, and limit discharge of tritium. CDHS has not required the discharger to adopt the Board's recommended radiological monitoring program and because of staff shortages has not increased surveillance. NRC responded by letter of December 30, 1980, and has stated it will consider the Board proposed monitoring program and limits for the discharge of tritium as part of its relicensing program in mid to late 1981. NRC further stated that they believe they have conducted inspections and audits satisfactorily and that future audits and sampling will account for the Board's concerns, past performance by the discharger, and scope of site activities.

Staff will continue to pursue the recommendations to CDHS and NRC in Resolution 80-3 as CDHS staff resources are increased and the NRC relicensing activities progress to assure that the Board's concerns are addressed.

6. The discharger and the Board staff are awaiting US Geological Survey recommendations updating the joint GE-VNC, Board, and USGS sponsored report on ground water monitoring in Vallecitos Valley. The discharger has already voluntarily implemented most of the Board and USGS recommended radiological monitoring plan proposed in Resolution 80-3. The information from this monitoring is available for Board staff and NRC and CDHS audits and inspections. Updated USGS recommendations will reflect the changes due to the cessation of the discharger tritium discharges.
7. The prohibition cited in Findings 1 and 4 above does not include provisions for exceptions. It is the Board's intent to consider inclusion of such exceptions when the Basin Plan is amended (approximately July 1982), where discharges would not threaten to cause a buildup of dissolved solids, stable organics, or other pollutants in ground waters of the Niles Cone. The discharger's wastewater discharge appears to meet these criteria.

8. Because of the above findings the Board intends to adopt an Enforcement Order for Issuance of a Time Schedule (Order No. 81- concurrently with this Order establishing a time schedule to implement the existing Basin Plan prohibition, if necessary, after the Board has considered the Basin Plan amendments which affect the discharger's year-around discharge of wastewater. In addition this Order amends the existing Order No. 80-28 expiration date to allow for the remaining years of the 5 year NPDES Permit and requires annual updating and submittal of the discharger's contingency plan for non-radioactive substances.

IT IS HEREBY ORDERED THAT the discharger, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder and the provisions of the Federal Water Pollution Control Act and regulations and guidelines adopted thereunder, shall comply with the following:

Provisions 7 and 8 of Board Order No. 80-28 are hereby amended to read:

- "7. The discharger shall review, update, and submit at least annually by July 1 each year its contingency plan as required by Board Resolution No. 74-10. The discharge of pollutants in violation of the Order where the discharger has failed to develop and/or implement a contingency plan will be basis for considering such discharge a willful and negligent violation of the Order pursuant to Section 13387 of the California Water Code. The contingency plan approved by the Executive Officer April 10, 1981, satisfies the July 1, 1981 requirement. In addition the contingency plan will include the current status of NRC required emergency plans for the various facilities on site.
8. This Order expires on June 1, 1984. The discharger must file a Report of Waste Discharge in accordance with Title 23, Chapter 3, Subchapter 9, of the California Administrative Code not later than 180 days in advance of such expiration date as application for issuance of new waste discharge requirements."

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on May 20, 1981.

FRED H. DIERKER
Executive Officer